

# **EXHIBIT 16**

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF WASHINGTON AT SEATTLE  
3  
4 BUNGIE, INC., )  
5 Plaintiff, )  
6 vs. ) No. 2:21-cv-811-TSZ  
7 AIMJUNKIES.COM; PHOENIX )  
8 DIGITAL GROUP LLC; DAVID )  
9 SCHAEFER; JORDAN GREEN; )  
10 JEFFREY CONWAY; and JAMES )  
11 MAY, )  
12 Defendants. )

CERTIFIED COPY

11  
12 VIDEO-RECORDED DEPOSITION UPON ORAL EXAMINATION OF  
13 JORDAN GREEN  
14 ALL PARTICIPANTS APPEARED REMOTELY VIA ZOOM  
15

16  
17  
18  
19 2:02 P.M.

20 MARCH 28, 2023

21 LOCATION OF WITNESS: PORTLAND, OREGON  
22  
23  
24

25 REPORTED BY: JUDY STEENBERGEN-WEBB, RPR, WA CCR #2495

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## A P P E A R A N C E S

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14

15 ALSO PRESENT: SCOTT NORTON, video operator

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## I N D E X

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1 PORTLAND, OREGON; MARCH 28, 2023

2 2:02 P.M.

3 --000--

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5 VIDEOGRAPHER: Good afternoon, everyone.

6 Here begins the remote deposition of Jordan Green in

7 the matter of Bungie Inc. versus Aimjunkies.com, et al.

8 This case in the United States District Court,

9 Western District of Washington at Seattle. This case

10 Number is 2:21-cv-811-TSZ.

11 Today's date is Tuesday, March 28th, 2023.

12 Our current time is 2:03 p.m. Pacific time. This is a

13 remote deposition through Zoom video conferencing. Our

14 videographer is Scott Norton appearing on behalf of

15 Centex Litigation Services.

16 Would counsel please introduce yourselves and

17 state whom you represent.

18 MR. RAVA: William Rava from Perkins

19 Coie on behalf of plaintiff Bungie.

20 MR. MANN: And I'm Phillip Mann

21 representing the defendants and Mr. Green individually.

22 VIDEOGRAPHER: Thank you both.

23 Our court reporter is Judy Steenbergen with

24 Centex. Would the reporter please swear in our

25 witness.

1 (Pursuant to Washington Supreme Court  
2 Order Number 25700-A-1311, a remote  
3 oath was administered by the Certified  
4 Court Reporter.)

5

6

JORDAN GREEN,

7

sworn as a witness by the Certified Court Reporter,

8

testified as follows:

9

10

EXAMINATION

11

BY MR. RAVA:

12

Q. Good afternoon, Mr. Green. Good seeing you

13

again.

14

A. Good afternoon.

15

Q. You've been this -- been through this before,

16

so you know how things go, and I'm interested in moving

17

as efficiently and quickly as possible. Unless you

18

need a refresher on process, I can skip that today; is

19

that okay?

20

A. Yeah. That's fine.

21

Q. Okay. As before, you were sworn in by the

22

court reporter.

23

Is there anything preventing you from telling

24

the complete truth today?

25

A. No.

1 not -- I don't know what else there could or could not  
2 be.

3 Q. Other than documents supplied by Bungie in  
4 this case, are you aware of any other evidence that  
5 Bungie decompiled, disassembled, reverse engineered,  
6 analyzed the software?

7 A. I'm not entirely sure. I believe that any  
8 evidence that may support that claim has -- is already  
9 involved in the process.

10 Q. How was Phoenix Digital damaged by those acts  
11 by Bungie?

12 A. I'm not sure I'm in a position to really  
13 explain that. But if you would like my personal  
14 opinion, I can give that.

15 Q. Yeah. I would like your personal opinion.

16 A. I believe that through the form and method of  
17 analysis that would been had -- would have had to have  
18 been performed to produce the evidence that we've seen,  
19 Bungie may have gotten a -- and then, again, I'm  
20 speculating. I don't personally know. This is not  
21 something that I'm super involved in.

22 So I guess I don't feel like I'm properly  
23 equipped to answer your question.

24 Q. Okay. Are you still a member of Phoenix  
25 Digital?

1 A. Yes.

2 Q. Are there still just two members today?

3 A. Yes.

4 Q. Are you still providing any back-end support  
5 for the Aimjunkies.com website?

6 A. Yes.

7 Q. Do you control any of the content over that  
8 website?

9 A. No.

10 Q. What, what sort of back-end support are you  
11 currently doing for the Aimjunkies.com website?

12 A. Just very basic server, like, low-level server  
13 support, software support when it comes to just the raw  
14 web hosting side of things.

15 MR. RAVA: Thank you for your time,  
16 Mr. Green. I don't have anything further.

17 MR. MANN: That was pleasantly short. I  
18 don't have any cross examination, and we'll reserve  
19 signature.

20 MR. RAVA: Thank you. I -- yeah. Thank  
21 you. I had intended to give you forewarning about  
22 that, but I didn't -- I wasn't entirely sure. I didn't  
23 want to set expectations and then disappoint. So thank  
24 you, Mr. Green. Appreciate it. Judy and Scott and  
25 same.



1 THE REPORTER: Everyone stay on the  
2 record, please.

3 Are we ordering the transcript at this time,  
4 Will?

5 MR. RAVA: No, we're not.

6 THE REPORTER: Okay.

7 MR. MANN: And we don't need a copy of  
8 the transcript either, Mr. Green and I don't.

9 VIDEOGRAPHER: And video just for  
10 Counsel Rava, only?

11 MR. RAVA: Yes.

12 THE REPORTER: And can we get your  
13 location today, Mr. Green?

14 THE WITNESS: Portland, Oregon.

15 THE REPORTER: Portland. Okay. Thank  
16 you.

17 Okay. You want to go ahead and take us off,  
18 Scott?

19 VIDEOGRAPHER: Okay. Sure. The time is  
20 now 2:31 p.m. We're now off the record.

21 (Deposition concluded at 2:31 p.m.)

22 (Signature was reserved.)

23

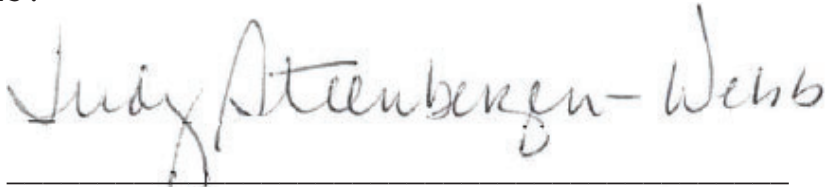
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## REPORTER'S CERTIFICATE

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2  
3 I, JUDY STEENBERGEN-WEBB, the undersigned  
4 Certified Court Reporter, pursuant to RCW 5.28.010 authorized  
5 to administer oaths and affirmations in and for the State of  
6 Washington, do hereby certify that the sworn testimony and/or  
7 proceedings, a transcript of which is attached, was given  
8 before me at the time and place stated therein; that any  
9 and/or all witness(es) were duly sworn to testify to the  
10 truth; that the sworn testimony and/or proceedings were by me  
11 stenographically recorded and transcribed under my  
12 supervision, to the best of my ability; that the foregoing  
13 transcript contains a full, true, and accurate record of all  
14 the sworn testimony and/or proceedings given and occurring at  
15 the time and place stated in the transcript; that a review of  
16 which was requested; that I am in no way related to any party  
17 to the matter, nor to any counsel, nor do I have any financial  
18 interest in the event of the cause;

19  
20 WITNESS MY HAND AND SIGNATURE this 9th day of  
21 May, 2023.

22  
23 

24 JUDY STEENBERGEN-WEBB  
25 Certified Court Reporter, RPR, WA CCR #2495